



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent application of : Attorney Docket No.:
Michel FONFREDE et al. : 00144-0233US1
: (210298)
Serial No.: 10/535,359 :
Confirmation No.: 6005 : Group Art Unit:
: 3673
371(c) filing date: July 29, 2005 :
: Examiner:
For: HYDRAULIC WHEEL : Sunil SINGH

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
ATTN: DO/EO/US

INFORMATION DISCLOSURE STATEMENT

This Information Disclosure Statement is being filed before mailing of a first office action after the filing of an RCE. 37 C.F.R. §§1.97(b)(4) applies, and no petition or fee is believed to be required. Please charge any fee due in connection with this filing, and credit any overpayment, to Deposit Account No. 50-0573.

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, submitted herewith are copies of the references listed on the accompanying substitute PTO Form 1449.

The Examiner is respectfully requested to review the items listed on the substitute PTO Form 1449 and make them of record in the instant application as required by M.P.E.P. §609. It is requested that the Examiner initial the enclosed duplicate substitute PTO Form 1449, and return one copy to the undersigned.

CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8(a)	
I hereby certify that this paper, along with any paper referred to as being attached or enclosed, is being deposited with the United States Postal Service on the date indicated below, with sufficient postage, as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
BY	<i>Katrina D'Onofrio</i>
DATE:	<i>May 12, 2008</i>

The Müller paper is not admitted to be prior art. It includes a number of drawings of undershot and breast shot water wheels allegedly taken from 19th century publications. Absent complete copies of Müller's source materials, Applicants do not admit that these drawings are prior art, or that they correctly represent the prior art.

For an explanation in English of the subject matter of the Brinnich patent, reference is made to the discussion in Senior et al.

The Senior et al. paper is not prior art. It is included in this IDS because it includes, beginning at section 2 on page 2, a description of the "Staudruckmaschine" which is believed to be the device described in the cited AT 404 973 B (Brinnich).

This Information Disclosure Statement should not be construed as a representation that the cited references are material or that more relevant prior art does not exist.

Respectfully submitted,

MICHEL FONFREDE *et al.*

BY 

DANIEL A. MONACO
Registration No. 30,480
DRINKER BIDDLE & REATH LLP
One Logan Square
18th and Cherry Streets
Philadelphia, PA 19103-6996
Tel.: (215) 988-3312
FAX: (215) 988-2757
Attorney for Applicants